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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/807,544	04/13/2001	Bruno Million-Rousseau	0110251	9172

466 7590 10/31/2007

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EXAMINER	
MILORD, MARCEAU	
ART UNIT	**PAPER NUMBER**
2618	

MAIL DATE	DELIVERY MODE
10/31/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/807,544	MILLION-ROUSSEAU ET AL.	
	Examiner	Art Unit	
	Marceau Milord	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 August 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *21-32* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *21-32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 21-32 are rejected under 35 U.S.C. 103(a) as being unpatentable overVazvan (WO- 9613814) in view of Miyake (US Patent No 5886333) and Wynn (US Patent No 5859419).

Regarding claims 21-23, Vazvan discloses a device (portable terminal 1) for acquiring information relating to payment means (figs. 1-2) and for transferring this information to a server center of a banking organization (Bank 3; page 2, lines 8-21; page 3, lines 7-32), the device comprising means for reading the payment means a central processing unit to which the reading means are connected, a first modem for establishing a telephone link with the server center (3 of fig. 1 or 14 of fig. 2) , a first means for dialing telephone numbers, said first dialing means being associated with the first modem, wherein the first means for dialing telephone numbers and the

associated first modem consist of elements of wired telephony circuits (page 2, lines 24-30; page 4, pages 5-6).

However, Vazvan does not specifically disclose the features of a second means for dialing telephone numbers, said second dialing means being associated with the second modem, wherein the second means for dialing telephone numbers and the associated second modem consist of elements of wireless telephony circuits, and a switching facility for selectively placing the central unit in communication with the first or second means for dialing telephone numbers.

On the other hand, Miyake, from the same field of endeavor, discloses a method for electronically transferring personal information on a credit gaining card by receiving an IC card having at least personal information for identifying a card issuing organization, a card number and a card user stored therein, and automatically inquiring of an information center of the card issuing organization whether credit can be gained based on input of a code number by the card user and the stored information electronically read from the IC card where the IC card is connected with a portable terminal to provide to the portable terminal a function for automatically carrying out the inquiry and a function for displaying a result of the inquiry; the card user connects the IC card to the portable terminal and inputs the code number using push-button digits on the portable terminal in order to perform the inquire utilizing the radio communication function of the portable terminal (col. 2, line 44-col. 3, line 40; col. 4, lines 5-65; col. 9, lines 1-50;col. 12, lines 16-62;col. 13, line 41-col. 14, line 36).

Wynn also discloses a universal financial data card for compiling and storing financial transaction records pertaining to a plurality of financial accounts. The financial transaction records are compiled from financial transaction data communicated between the universal

financial data card and a card reader. The universal financial data card includes a memory circuit for storing holder data pertaining to a holder of the universal financial data card. The memory circuit further stores account data pertaining to the plurality of financial accounts and the financial transaction records pertaining to the plurality of financial accounts. Further, the universal financial data card includes a processor coupled to the memory circuit and a data exchange circuit coupled to the processor. The data exchange circuit permits the universal financial data card to receive first selected data from the card reader (second modem) and to send second selected data to the card reader during a financial transaction pertaining a selected one of the plurality of financial accounts, wherein the processor, responsive to the first selected data, compiles a transaction record related to the financial transaction pertaining the selected one of the plurality of financial accounts for storage in the memory circuit (col. 2, lines 2-67; col. 4, line 30-col. 5, line 58). In addition, the card reader represents a high-speed modem (second means) with real-time circuitry and can be of three different configurations, depending on its application. This card reader may communicate with central data system (server center) via link where the communication between card reader and central data system is accomplished via a high-speed modem circuit via telephone wires (col. 7, lines 19-60; col. 8, lines 18-67; col. 9, lines 1-50). It is stated that this gateway is a means for matching the speeds of transmission of the data transmitted between the first and second means for dialing telephone numbers. It is considered that Wynn and Miyake clearly teach the features of a second means for dialing telephone numbers, where the second dialing means being associated with the second modem, wherein the second means for dialing telephone numbers and the associated second modem consist of elements of wireless telephony circuits, and a switching facility for selectively placing the central

unit in communication with the first or second means for dialing telephone numbers. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Wynn to the modified system of Miyake and Vazvan in order to provide a smart universal financial data card which allows a user the flexibility to keep track of all his or her financial data and financial transaction data in a highly portable package.

Regarding claim 24, Vazvan discloses an add-on system for being connected to a device (figs. 1-2) for acquiring information relating to payment means and for transferring this information to a server center of a banking organization (Bank 3; page 2, lines 8-21; page 3, lines 7-32), the device (43) comprising: means for reading the payment means (SIM card reader 36), a central processing unit (3) to which the reading means are connected, a first modem for establishing a telephone link with the server center , first means (7) for dialing telephone numbers associated with the first modem, wherein the first means for dialing telephone numbers and the associated second modem consist of elements of wired telephony circuits (page 2, lines 24-30; page 4, pages 5-6).

However, Vazvan does not specifically disclose the features of a circuit for emulating a switched telephone network, intended to be connected to the device, means for detecting telephone numbers dialed by said first dialing means, a second modem for establishing a telephone link with the server center, second means for dialing telephone numbers, said second dialing means being associated with the second modem, wherein the second means for dialing telephone numbers and the associated second modem consist of elements of wireless telephony circuits, and means for matching the speeds of transmission of the data transmitted between the first and second means for dialing telephone numbers.

On the other hand, Miyake, from the same field of endeavor, discloses a method for electronically transferring personal information on a credit gaining card by receiving an IC card having at least personal information for identifying a card issuing organization, a card number and a card user stored therein, and automatically inquiring of an information center of the card issuing organization whether credit can be gained based on input of a code number by the card user and the stored information electronically read from the IC card where the IC card is connected with a portable terminal to provide to the portable terminal a function for automatically carrying out the inquiry and a function for displaying a result of the inquiry; the card user connects the IC card to the portable terminal and inputs the code number using push-button digits on the portable terminal in order to perform the inquire utilizing the radio communication function of the portable terminal (col. 2, line 44-col. 3, line 40; col. 4, lines 5-65; col. 9, lines 1-50;col. 12, lines 16-62;col. 13, line 41-col. 14, line 36).

Wynn also discloses a universal financial data card for compiling and storing financial transaction records pertaining to a plurality of financial accounts. The financial transaction records are compiled from financial transaction data communicated between the universal financial data card and a card reader. The universal financial data card includes a memory circuit for storing holder data pertaining to a holder of the universal financial data card. The memory circuit further stores account data pertaining to the plurality of financial accounts and the financial transaction records pertaining to the plurality of financial accounts. Further, the universal financial data card includes a processor coupled to the memory circuit and a data exchange circuit coupled to the processor. The data exchange circuit permits the universal financial data card to receive first selected data from the card reader (second modem) and to send

second selected data to the card reader during a financial transaction pertaining a selected one of the plurality of financial accounts, wherein the processor, responsive to the first selected data, compiles a transaction record related to the financial transaction pertaining the selected one of the plurality of financial accounts for storage in the memory circuit (col. 2, lines 2-67; col. 4, line 30-col. 5, line 58). In addition, the card reader represents a high-speed modem (second means) with real-time circuitry and can be of three different configurations, depending on its application. This card reader may communicate with central data system (server center) via link where the communication between card reader and central data system is accomplished via a high-speed modem circuit via telephone wires (col. 7, lines 19-60; col. 8, lines 18-67; col. 9, lines 1-50). It is stated that this gateway is a means for matching the speeds of transmission of the data transmitted between the first and second means for dialing telephone numbers. It is considered that Wynn and Miyake clearly teach the features of a second modem for establishing a telephone link with the server center, second means for dialing telephone numbers, said second dialing means being associated with the second modem, wherein the second means for dialing telephone numbers and the associated second modem consist of elements of wireless telephony circuits, and means for matching the speeds of transmission of the data transmitted between the first and second means for dialing telephone numbers. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Wynn to the modified system of Miyake and Vazvan in order to provide a smart universal financial data card which allows a user the flexibility to keep track of all his or her financial data and financial transaction data in a highly portable package.

Regarding claim 25, Vazvan as modified discloses a device for acquiring information relating to payment means (figs. 1-2) and for transferring this information to a server center of a banking organization (page 2, lines 8-21), wherein the matching means consist of means of temporary storage of the data (page 4, page 6).

Regarding claim 26, Vazvan as modified discloses a device for acquiring information relating to payment means (figs. 1-2) and for transferring this information to a server center of a banking organization (page 2, lines 8-21), comprising a wireless link for connecting the emulating circuit to the first dialing means of the device (page 5, lines 7-27; page 7, lines 7-21).

Regarding claim 27, Vazvan as modified discloses a device for acquiring information relating to payment means (figs. 1-2) and for transferring this information to a server center of a banking organization (page 2, lines 8-21), wherein said wireless link comprises an infrared link of the IrDA type (pages 6-7).

Regarding claim 28, Vazvan as modified discloses a device for acquiring information relating to payment means (figs. 1-2) and for transferring this information to a server center of a banking organization (page 2, lines 8-21), comprising a wireless telephone set connected to the second means for dialing telephone numbers (page 5, lines 7-27; page 7, lines 7-21).

Regarding claim 29, Vazvan as modified discloses a device for acquiring information relating to payment means (figs. 1-2) and for transferring this information to a server center of a banking organization (page 2, lines 8-21), comprising a wireless link connecting the first means for dialing telephone numbers to the telephone set (page 4, page 5, lines 7-27; page 7, lines 7-21).

Regarding claim 30, Vazvan as modified discloses a device for acquiring information relating to payment means (figs. 1-2) and for transferring this information to a server center of a banking organization (page 2, lines 8-21), wherein said wireless link comprises an infrared link of the IrDA type (pages 6-7).

Regarding claim 31, Vazvan as modified discloses a device for acquiring information relating to payment means (figs. 1-2) and for transferring this information to a server center of a banking organization (page 2, lines 8-21), characterized in that it constitutes an electronic payment terminal (page 6).

Regarding claim 32, Vazvan discloses a system for acquiring information (figs. 1-2) relating to payment means and for transferring this information to a server center of a banking organization (page 2, lines 8-21), the system (43) comprising a device comprising: means for reading the payment means (SIM card reader 36), a central processing unit (3 or 14) to which the reading means are connected, a first modem (7) for establishing a telephone link with the server center, first means for dialing telephone numbers associated with the first modem, wherein the first means for dialing telephone numbers and the associated second modem consist of elements of wired telephony circuits (page 2, lines 24-30; page 4, pages 5-6).

However, Vazvan does not specifically disclose the features of a circuit for emulating a switched telephone network, connected to the device, means for detecting telephone numbers dialed by said first dialing means, a second modem for establishing a telephone link with the server center, second means for dialing telephone numbers, said second dialing means being associated with the second modem, wherein the second means for dialing telephone numbers and the associated second modem consist of elements of wireless telephony circuits, and means for

matching the speeds of transmission of the data transmitted between the first and second means for dialing telephone numbers.

On the other hand, Miyake, from the same field of endeavor, discloses a method for electronically transferring personal information on a credit gaining card by receiving an IC card having at least personal information for identifying a card issuing organization, a card number and a card user stored therein, and automatically inquiring of an information center of the card issuing organization whether credit can be gained based on input of a code number by the card user and the stored information electronically read from the IC card where the IC card is connected with a portable terminal to provide to the portable terminal a function for automatically carrying out the inquiry and a function for displaying a result of the inquiry; the card user connects the IC card to the portable terminal and inputs the code number using push-button digits on the portable terminal in order to perform the inquire utilizing the radio communication function of the portable terminal (col. 2, line 44-col. 3, line 40; col. 4, lines 5-65; col. 9, lines 1-50;col. 12, lines 16-62;col. 13, line 41-col. 14, line 36).

Wynn also discloses a universal financial data card for compiling and storing financial transaction records pertaining to a plurality of financial accounts. The financial transaction records are compiled from financial transaction data communicated between the universal financial data card and a card reader. The universal financial data card includes a memory circuit for storing holder data pertaining to a holder of the universal financial data card. The memory circuit further stores account data pertaining to the plurality of financial accounts and the financial transaction records pertaining to the plurality of financial accounts. Further, the universal financial data card includes a processor coupled to the memory circuit and a data

exchange circuit coupled to the processor. The data exchange circuit permits the universal financial data card to receive first selected data from the card reader (second modem) and to send second selected data to the card reader during a financial transaction pertaining a selected one of the plurality of financial accounts, wherein the processor, responsive to the first selected data, compiles a transaction record related to the financial transaction pertaining the selected one of the plurality of financial accounts for storage in the memory circuit (col. 2, lines 2-67; col. 4, line 30-col. 5, line 58). In addition, the card reader represents a high-speed modem (second means) with real-time circuitry and can be of three different configurations, depending on its application. This card reader may communicate with central data system (server center) via link where the communication between card reader and central data system is accomplished via a high-speed modem circuit via telephone wires (col. 7, lines 19-60; col. 8, lines 18-67; col. 9, lines 1-50). It is stated that this gateway is a means for matching the speeds of transmission of the data transmitted between the first and second means for dialing telephone numbers. It is considered that Wynn and Miyake clearly teach the features of a second modem for establishing a telephone link with the server center, second means for dialing telephone numbers, said second dialing means being associated with the second modem, wherein the second means for dialing telephone numbers and the associated second modem consist of elements of wireless telephony circuits, and means for matching the speeds of transmission of the data transmitted between the first and second means for dialing telephone numbers. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the technique of Wynn to the modified system of Miyake and Vazvan in order to provide a smart universal financial data card

which allows a user the flexibility to keep track of all his or her financial data and financial transaction data in a highly portable package.

Response to Arguments

3. Applicant's arguments with respect to claims 21-32 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marceau Milord whose telephone number is 571-272-7853. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Marceau Milord

MARCEAU MILORD

Primary Examiner

Art Unit 2618